

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

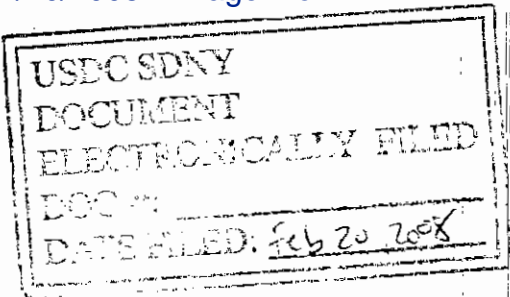
MOBIL CERRO NEGRO, LTD.,

Plaintiff,

v.

PDVSA CERRO NEGRO S.A.

Defendant.



Civil Action No. 07 Civ. 11590 (DAB)

**ORDER
AUTHORIZING DEPOSIT OF
FUNDS INTO COURT**

An Order of Attachment, issued by this Court on December 27, 2007, and a Supplemental Order of Attachment, issued by this Court on January 8, 2008, was duly served upon The Bank of New York Mellon Corporation ("Bank of New York" or "Garnishee"). The Garnishee has served its Statements that it is as of January 9, 2008, in possession and custody of the sum of \$300,824,335.20, representing the monies, property, and/or interest in property of defendant PDVSA CERRO NEGRO S.A. ("PDVSA CN"), as are on deposit with, or held by, the Bank of New York. The Court, having ordered that such sum, and any additional sums levied under this Court's Orders up to the total amount of \$315,000,000, be deposited with the Court to secure any judgment in favor of the Plaintiff Mobil Cerro Negro, Ltd. ("Mobil CN").

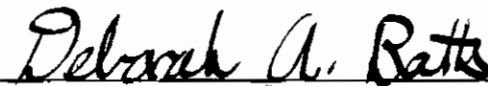
Accordingly, pursuant to Rule 67 of the Federal Rules of Civil Procedure, Local Civil Rule 67.1, and the provisions of Articles 62 and 75 of New York's Civil Practice Law and Rules ("CPLR") applied pursuant to Rule 64 of the Federal Rules of Civil Procedure, it is hereby ORDERED that:

1. The sum of \$301,095,354.53, which is less any setoff for the Garnishee's fees and expenses pursuant to New York Creditor and Debtor Law § 151, shall be deposited by the Garnishee with the Clerk of the Court within 5 business days of the date of this Order. Said sum, and any income thereon, net of the Clerk's fees, shall be held until further order of the Court.

2. The Clerk is directed to invest such funds in an interest-bearing account and may deduct from the income on the investment a fee equal to ten per cent (10%) of the income earned, but not exceeding the fee authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office.

3. Upon depositing such funds with the Clerk, the Garnishee's obligations to the parties herein shall be discharged to the extent of the sum deposited.

Dated: New York, New York
February 14, 2008


Hon. Deborah A. Batts
United States District Judge